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May 12, 2015

Honorable Michael H. Dolinger  
United States Magistrate Judge  
500 Pearl Street #1670  
New York, New York 10007

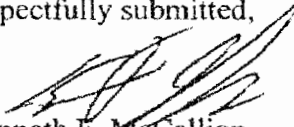
Re: Kim et al v. Kum Gang Inc.  
Civ. No. 12-cv-06344

Dear Judge Dolinger:

My firm is the appellate counsel for the defendants in the above captioned action in the appeal of this Court's Order and Judgment to the Second Circuit Court of Appeals. The Second Circuit case number is 15-1210. We also represent defendant Kum Gang Inc. with regard to its Chapter 11 Bankruptcy filing in the U.S. Bankruptcy Court, E.D.N.Y. (Case No. 15-42018-cec).

Since there is an automatic stay currently in effect with regard to the bankruptcy filing of defendant Kum Gang Inc., we will not be filing a response on behalf of that defendant with regard to plaintiffs' motion for attorneys' fees and costs (Doc. 147). With regard to the other defendants, it is respectfully requested that the Court hold a decision on the motion in abeyance until the Second Circuit decides the appeal. In the event that the Order and Judgment is reversed on appeal, the plaintiffs would not be the "prevailing party" and, therefore, not entitled to an award of attorneys' fees.

Respectfully submitted,

  
Kenneth F. McCallion

cc: Kenneth Kimerling, Esq. (via fax)  
all other plaintiffs' counsel (via fax)

ENTERED ORDER

Defendants' application to adjourn  
since the plaintiffs' fee motion is  
denied. The court will proceed  
to address that motion in due  
course.

*Refused 5/14/15*

*Endorsed Order*

*Defendant's application to adjourn sine die plaintiffs' fee motion is denied. The court will proceed to address that motion I due course*